

Panaji, 2nd November, 1984 (Kartika 11, 1906)

SERIES I No. 31

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN  
AND DIU

Law Department (Legal Advice)

Department of Personnel and Administrative Reforms

**Corrigendum**

1/13/76-PER (Vol. III)

In the Schedule appended to the Notification of even number dated 6th August, 1982 published in the Official Gazette No. 21, Series I dated 19th August, 1982 relating to the Recruitment Rules for Group 'C' and 'D' non-ministerial, Non-Gazetted post in the Public Works Department, under the Government of Goa, Daman and Diu, the scale of pay of the post of "Sr. Painter" at Sr. No. 8, shall be corrected to read as "Rs: 330-12-500-EB-15-560".

By order and in the name of the Lieutenant Governor of Goa, Daman & Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 26th October, 1984.

Finance Department (Revenue and Control)

**Notification**

14/17/84-Fin(R&amp;C)

In exercise of the powers conferred by sub-section (2) of section 1 of the Goa, Daman and Diu Entertainment Tax (Amendment) Act, 1982 (3 of 1982), the Government of Goa, Daman and Diu hereby appoints the 1st day of November, 1984, as the date on which the provisions of the said Act shall come into force in the whole of the Union Territory of Goa, Daman and Diu.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

K. M. Nambiar, Under Secretary (Finance-Exp).

Panaji, 22nd October, 1984.

**Notification**

LD/1/9/84-(D)

The National Security (Amendment) Act, 1984 (No. 24 of 1984), the Payment of Gratuity (Amendment) Act, 1984 (No. 25 of 1984); the Payment of Gratuity (Second Amendment) Act, 1984 (No. 26 of 1984), The Union Duties of Excise (Distribution) Amendment Act, 1984 (No. 27 of 1984), the Union Duties of Excise (Electricity) Distribution (Amendment) Act, 1984 (No. 28 of 1984), and the Additional Duties of Excise (Goods of Special Importance) Amendment Act, 1984 (No. 29 of 1984), which have been passed by Parliament and assented to by the President of India on 18th May, 1984 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 18th May, 1984 are hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 28th September, 1984.

The National Security (Amendment) Act, 1984

AN  
ACT

to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the National Security (Amendment) Act, 1984.

(2) It shall be deemed to have come into force on the 5th day of April, 1984.

2. *Amendment of Act 65 of 1980 in its application to Punjab and Chandigarh.*—The National Security Act, 1980 (hereinafter referred to as the principal Act) shall, in its application to the State of Punjab and the Union territory of Chandigarh, have effect subject to the amendments specified in sections 3 to 5.

3. *Amendment of section 3.*—In sub-section (4) of section 3 of the principal Act, in the proviso,—

(a) for the words "ten days", the words "fifteen days" shall be substituted;

(b) for the words "fifteen days", the words "twenty days" shall be substituted.

4. *Amendment of section 8.* — In section 8 of the principal Act, in sub-section (1), for the words "ten days", the words "fifteen days" shall be substituted.

5. *Insertion of new section 14A.* — In the principal Act, after section 14, the following section shall be inserted, namely: —

*14A. Circumstances in which persons may be detained for periods longer than three months without obtaining opinion of the Advisory Boards.* — (1) Notwithstanding anything contained in the foregoing provisions of this Act, any person in respect of whom an order of detention has been made under this Act at any time before the 3rd day of April, 1985 may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him from acting, in any disturbed area, in any manner prejudicial to —

- (a) the defence of India; or
- (b) the security of India; or
- (c) the security of the State; or
- (d) the maintenance of public order; or
- (e) the maintenance of supplies and services essential to the community.

*Explanation 1.* — The provisions of the *Explanation* to sub-section (2) of section 3 shall apply for the purposes of this sub-section as they apply for the purposes of that sub-section.

*Explanation 2.* — In this sub-section, "disturbed area" means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, or 32 of 1983, under section 3 of the Chandigarh Disturbed Areas Act, 1983, to be a disturbed area. 33 of 1983.

(2) In the case of any person to whom sub-section (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely: —

(a) in section 10, for the words "shall, within three weeks", the words "shall, within four months and two weeks" shall be substituted;

(b) in section 11, —

(i) in sub-section (1), for the words "seven weeks", the words "five months and three weeks" shall be substituted;

(ii) in sub-section (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;

(c) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;

(d) in section 13, for the words "twelve months", the words "two years" shall be substituted."

6. *Repeal and saving.* — (1) The National Security (Amendment) Ordinance, 1984, is hereby repealed. 5 of 1984.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

### The Payment of Gratuity (Amendment) Act, 1984

AN  
ACT

to amend the Payment of Gratuity Act, 1972.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Payment of Gratuity (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.* — In section 2 of the Payment of Gratuity Act, 1972 (hereinafter referred to as the principal Act), — 39 of 1972.

(a) in clause (e), —

(i) for the words "one thousand rupees", wherever they occur, the words "one thousand and six hundred rupees" shall be substituted;

(ii) for the portion beginning with the words "but does not include any such person" and ending with the words and figures "or the Navy Act, 1957", the following shall be substituted, namely: — 62 of 1957.

"and whether or not such person is employed in a managerial or administrative capacity, but does not include any such person who holds a post under the Central Government or a State Government and is governed by any other Act or by any rules providing for payment of gratuity."

(b) for clause (r), the following clause shall be substituted, namely: —

"(r) "superannuation", in relation to an employee, means the attainment by the employee of such age as is fixed in the contract or conditions of service as the age on the attainment of which the employee shall vacate the employment;"

3. *Amendment of section 4.* — In section 4 of the principal Act, —

(a) in sub-section (1), for the words "nominee or", the words "nominee or, as the case may be, the guardian of such nominee or" shall be substituted;

(b) in sub-section (2), in the second proviso, for the words "an employee employed in a seasonal establishment", the words "an employee who is

employed in a seasonal establishment and who is not so employed throughout the year" shall be substituted;

(c) in sub-section (6), in clause (b), for the words "shall be wholly forfeited", the words "may be wholly or partially forfeited" shall be substituted;

(d) after sub-section (6), the following sub-section shall be inserted and shall be deemed always to have been inserted, namely: —

"(7) For the removal of doubts, it is hereby declared that the gratuity determined in accordance with the provisions of *Explanation* to clause (e) of section 2 shall be payable to an employee referred to in that clause notwithstanding that immediately, or at any time, before the termination of his employment in the manner specified in clause (a) or clause (b) or clause (c) of sub-section (1), he was in receipt of —

(i) where such termination of his employment is before the commencement of the Payment of Gratuity (Amendment) Act, 1984, wages exceeding one thousand rupees per month, and

(ii) where such termination of his employment is after such commencement, wages exceeding one thousand and six hundred rupees per month."

4. *Amendment of section 7.* — In section 7 of the principal Act, —

(a) in sub-section (4), —

(i) in clause (a), the *Explanation* shall be omitted;

(ii) clauses (b), (c) and (d) shall be re-lettered as clauses (c), (d) and (e) respectively, and before clause (c) as so re-lettered, the following clause shall be inserted, namely: —

"(b) Where there is a dispute with regard to any matter or matters specified in clause (a), the employer or employee or any other person raising the dispute may make an application to the controlling authority for deciding the dispute.";

(iii) for clause (c) as so re-lettered, the following clause shall be substituted, namely: —

"(c) The controlling authority shall, after due inquiry and after giving the parties to the dispute a reasonable opportunity of being heard, determine the matter or matters in dispute and if, as a result of such inquiry any amount is found to be payable to the employee, the controlling authority shall direct the employer to pay such amount or, as the case may be, such amount as reduced by the amount already deposited by the employer.";

(iv) in clause (e) as so re-lettered, in sub-clause (ii), for the words "nominee or", the words "nominee or, as the case may be, the guardian of such nominee or" shall be substituted;

(b) in sub-section (7), after the proviso, the following proviso shall be inserted, namely: —

"Provided further that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant either produces a certificate of the controlling authority to the effect that the appellant has deposited with him an amount equal to the amount of gratuity required to be deposited under sub-section (4), or deposits with the appellate authority such amount."

5. *Insertion of new sections 7A and 7B* — After section 7 of the principal Act, the following sections shall be inserted, namely: —

"7A. *Inspectors.* — (1) The appropriate Government may, by notification, appoint as many Inspectors, as it deems fit, for the purposes of this Act.

(2) The appropriate Government may, by general or special order, define the area to which the authority of an Inspector so appointed shall extend and where two or more Inspectors are appointed for the same area, also provide, by such order, for the distribution or allocation of work to be performed by them under this Act.

(3) Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

7B. *Powers of Inspectors.* — (1) Subject to any rules made by the appropriate Government in this behalf, an Inspector may, for the purpose of ascertaining whether any of the provisions of this Act or the conditions, if any, of any exemption granted thereunder, have been complied with, exercise all or any of the following powers, namely: —

(a) require an employer to furnish such information as he may consider necessary;

(b) enter and inspect, at all reasonable hours, with such assistants (if any), being persons in the service of the Government or local or any public authority, as he thinks fit, any premises of or place in any factory, mine, oilfield, plantation, port, railway company, shop or other establishment to which this Act applies, for the purpose of examining any register card or notice or other document required to be kept or exhibited under this Act or the rules made thereunder, or otherwise kept or exhibited in relation to the employment of any person or the payment of gratuity to the employees, and require the production thereof for inspection;

(c) examine with respect to any matter relevant to any of the purpose aforesaid, the employer or any person whom he finds in such premises or place and who, he has reasonable cause to believe, is an employee employed therein;

(d) make copies of, or take extracts from, any register, record, notice or other document, as he may consider relevant, and where he has reason to believe that any offence under this Act has been committed by an employer, search and seize with such assistance as he may think

fit, such register, record, notice or other document as he may consider relevant in respect of that offence;

(e) exercise such other powers as may be prescribed.

(2) Any person required to produce any register, record, notice or other document or to give any information by an Inspector under sub-section (1) shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code. 45 of 1860.

(3) The provisions of the Code of Criminal Procedure, 1973 shall so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of that Code." 2 of 1974.

6. *Amendment of section 13.*—In section 13 of the principal Act, after the words "payable under this Act", the words "and no gratuity payable to an employee employed in any establishment, factory, mine, oilfield, plantation, port, railway company or shop exempted under section 5" shall be inserted.

### The Payment of Gratuity (Second Amendment) Act, 1984

AN

ACT

*further to amend the Payment of Gratuity Act, 1972.*

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Payment of Gratuity (Second Amendment) Act, 1984.

2. *Amendment of section 1.*—In section 1 of the Payment of Gratuity Act, 1972 (herein- 39 of 1972. after referred to as the principal Act), after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) A shop or establishment to which this Act has become applicable shall continue to be governed by this Act notwithstanding that the number of persons employed therein at any time after it has become so applicable falls below ten."

3. *Amendment of section 2.*—In section 2 of the principal Act, for clause (c) and the *Explanations* thereto, the following clause shall be substituted, namely:—

"(c) "continuous service" means continuous service as defined in section 2A;"

4. *Insertion of new section 2A.*—In the principal Act, after section 2, the following section shall be inserted, namely:—

"2A. *Continuous service.*—For the purposes of this Act,—

(1) an employee shall be said to be in continuous service for a period if he has, for that period, been in uninterrupted service, including

service which may be interrupted on account of sickness, accident, leave, absence from duty without leave (not being absence in respect of which an order imposing a punishment or penalty or treating the absence as break in service has been passed in accordance with standing orders, rules or regulations governing the employees of the establishment), lay-off, strike or a lock-out or cessation of work not due to any fault of the employee, whether such uninterrupted or interrupted service was rendered before or after the commencement of this Act;

(2) where an employee (not being an employee employed in a seasonal establishment) is not in continuous service within the meaning of clause (1), for any period of one year or six months, he shall be deemed to be in continuous service under the employer—

(a) for the said period of one year, if the employee during the period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—

(i) one hundred and ninety days, in the case of an employee employed below the ground in a mine or in an establishment which works for less than six days in a week; and

(ii) two hundred and forty days, in any other case;

(b) for the said period of six months, if the employee during the period of six calendar months preceding the date with reference to which the calculation is to be made, has actually worked under the employer for not less than—

(i) ninety-five days, in the case of an employee employed below the ground in a mine or in an establishment which works for less than six days in a week; and

(ii) one hundred and twenty days, in any other case;

(3) where an employee, employed in a seasonal establishment, is not in continuous service within the meaning of clause (1), for any period of one year or six months, he shall be deemed to be in continuous service under the employer for such period if he has actually worked for not less than seventy-five per cent of the number of days on which the establishment was in operation during such period."

5. *Amendment of section 5.*—Section 5 of the principal Act shall be renumbered as sub-section (1) of that section and, after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The appropriate Government may, by notification and subject to such conditions as may be specified in the notification, exempt any employee or class of employees employed in any establishment, factory, mine, oilfield, plantation, port, railway company or shop to which this Act applies from the operation of the provisions of this Act, if, in the opinion of the appropriate Government, such employee or class of employees are in receipt of gratuity or pensionary benefits not less favourable than the benefits conferred under this Act."

6. *Validation.*—The amendments made in the principal Act by section 3 and section 4 shall be deemed to have been made with effect from the 11th day of February, 1981 and accordingly any action or thing taken or done or purporting to have been taken or done under the principal Act on or after the said date and before the commencement of this Act, shall, notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority, be deemed to be, and to have always been, for all purposes, as validly and effectively taken or done as if the said amendments had been in force at all material times.

*Explanation.*—For the removal of doubts, it is hereby declared that no act or omission on the part of any person, before the commencement of this Act, shall be punishable as an offence which would not have been so punishable if this Act had not come into force.

#### The Union Duties of Excise (Distribution) Amendment Act, 1984

##### AN ACT

*to amend the Union Duties of Excise (Distribution) Act, 1979.*

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Union Duties of Excise (Distribution) Amendment Act, 1984.

(2) It shall be deemed to have come into force on the 1st day of April, 1984.

2. *Amendment of long title of Act 24 of 1979.*—In the Union Duties of Excise (Distribution) Act, 1979 (hereinafter referred to as the principal Act), in the long title, for the words, figures and letters “report dated the 28th day of October, 1978”, the words, figures and letters “interim report dated the 14th day of November, 1983” shall be substituted.

3. *Substitution of new section for section 3.*—For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Payment to States of sums equivalent to a part of the net proceeds of Union duties of excise and provisional distribution of the sums among them.*—During the financial year commencing on the 1st day of April, 1984, there shall be paid, out of the Consolidated Fund of India, to the States sums equivalent to the distributable Union duties of excise levied and collected in that year and those sums shall be distributed, provisionally, to each of the States specified in column (1) of the Table below in such percentage as is set out against it in column (2):—

TABLE

State	Percentage
(1)	(2)
Andhra Pradesh	7.691
Assam	2.793
Bihar	13.021

(1)	(2)
Gujarat	4.101
Haryana	1.177
Himachal Pradesh	0.521
Jammu and Kashmir	0.839
Karnataka	4.876
Kerala	4.035
Madhya Pradesh	8.725
Maharashtra	6.632
Manipur	0.218
Meghalaya	0.200
Nagaland	0.097
Orissa	4.682
Punjab	1.226
Rajasthan	4.813
Sikkim	0.028
Tamil Nadu	7.637
Tripura	0.373
Uttar Pradesh	18.290
West Bengal	8.025.”

#### The Union Duties of Excise (Electricity) Distribution (Amendment) Act, 1984

##### AN ACT

*to amend the Union Duties of Excise (Electricity) Distribution Act, 1980.*

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Union Duties of Excise (Electricity) Distribution (Amendment) Act, 1984.

(2) It shall be deemed to have come into force on the 1st day of April, 1984.

2. *Amendment of long title of Act 14 of 1980.*—In the Union Duties of Excise (Electricity) Distribution Act, 1980 (hereinafter referred to as the principal Act), in the long title, for the words, figures and letters “report dated the 28th day of October, 1978”, the words, figures and letters “interim report dated the 14th day of November, 1983” shall be substituted.

3. *Substitution of new section for section 3.*—For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Payment to States of sums equivalent to the net proceeds of union duties of excise on electricity and provisional distribution of the sums among them.*—During the financial year commencing on the 1st day of April, 1984, there shall be paid, out of the Consolidated Fund of India, to the States sums equivalent to the distributable Union duties of excise on electricity levied and collected in that year and those sums shall be distributed,

provisionally, to each of the States specified in column (1) of the Table below in such percentage as is set out against it in column (2).

TABLE

State	Percentage
(1)	(2)
Andhra Pradesh ... ..	8.51
Assam ... ..	1.09
Bihar ... ..	5.74
Gujarat ... ..	9.66
Haryana ... ..	2.49
Himachal Pradesh ... ..	0.55
Jammu and Kashmir ... ..	1.15
Karnataka ... ..	7.05
Kerala ... ..	4.22
Madhya Pradesh ... ..	7.09
Maharashtra ... ..	19.38
Manipur ... ..	0.04
Meghalaya ... ..	0.11
Nagaland ... ..	0.04
Orissa ... ..	3.02
Punjab ... ..	3.54
Rajasthan ... ..	2.92
Sikkim ... ..	0.01
Tamil Nadu ... ..	7.71
Tripura ... ..	0.08
Uttar Pradesh ... ..	8.17
West Bengal ... ..	7.43."

paid", the words, figures and letters "the financial year commencing on the 1st day of April, 1984, there shall be paid, provisionally," shall be substituted;

(b) in paragraph 2, for the words, figures and letters "each of the financial years commencing on and after the 1st day of April, 1979, there shall be paid", the words, figures and letters "the financial year commencing on the 1st day of April, 1984, there shall be paid, provisionally," shall be substituted;

(c) in paragraph 3, —

(i) for the words, figures and letters "each of the financial years commencing on and after the 1st day of April, 1979, there shall be paid", the words, figures and letters "the financial year commencing on the 1st day of April, 1984, there shall be paid, provisionally," shall be substituted;

(ii) for the Table, the following Table shall be substituted, namely: —

TABLE

State	Percentage
1	2
Andhra Pradesh ... ..	8.018
Assam ... ..	2.297
Bihar ... ..	7.219
Gujarat ... ..	6.013
Haryana ... ..	2.789
Himachal Pradesh ... ..	0.734
Jammu and Kashmir ... ..	0.744
Karnataka ... ..	180.9
Kerala ... ..	4.019
Madhya Pradesh ... ..	6.419
Maharashtra ... ..	13.506
Manipur ... ..	0.185
Meghalaya ... ..	0.171
Nagaland ... ..	0.084
Orissa ... ..	3.456
Punjab ... ..	4.268
Rajasthan ... ..	4.365
Sikkim ... ..	0.034
Tamil Nadu ... ..	7.707
Tripura ... ..	0.256
Uttar Pradesh ... ..	12.544
West Bengal ... ..	9.091."

The Additional Duties of Excise (Goods of Special Importance)  
Amendment Act, 1984

AN

ACT

further to amend the Additional Duties of Excise  
(Goods of Special Importance Act, 1957).

Be it enacted by Parliament in the Thirty-fifth  
Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Additional Duties of Excise (Goods of Special Importance) Amendment Act, 1984.

(2) It shall be deemed to have come into force on the 1st day of April, 1984.

2. *Amendment of long title of Act 58 of 1957.* — In the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (hereinafter referred to as the principal Act), in the long title, for the words, figures and letters "report dated the 28th day of October, 1978", the words, figures and letters "interim report dated the 14th day of November, 1983" shall be substituted.

3. *Amendment of Second Schedule.* — In the principal Act, in the Second Schedule, —

(a) in paragraph 1, for the words, figures and letters "each of the financial years commencing on and after the 1st day of April, 1979, there shall be

Notification

LD/1/984-D. Vol. II

The General Insurance Business (Nationalisation) Amendment Ordinance, 1984 (No. 10 of 1984) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II-Section 1, dated the 17th September, 1984, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 12th October, 1984.



MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS  
(Legislative Department)

New Delhi, the 17th September, 1984/Bhadra 26,  
1906 (Saka)

THE GENERAL INSURANCE BUSINESS  
(NATIONALISATION) AMENDMENT  
ORDINANCE, 1984

No. 10 of 1984

Promulgated by the President in the Thirty-fifth  
Year of the Republic of India.

An Ordinance further to amend the General Insurance Business (Nationalisation) Act, 1972.

Whereas for securing the interests of the General Insurance Corporation of India and of the acquiring companies and of their policy holders and to control the cost of administration, it is necessary that further rationalisation or revision of pay scales and other terms and conditions of service applicable to the officers and other employees of the Corporation and of the acquiring companies should be undertaken expeditiously;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

**1. Short title and commencement.**—(1) This Ordinance may be called the General Insurance Business (Nationalisation) Amendment Ordinance, 1984.

(2) It shall come into force at once.

**2. Amendment of clause (o) of section 3.**—In section 3 of the General Insurance Business (Nationalisation) Act, 1972 <sup>57 of 1972.</sup> (hereinafter referred to as the principal Act), in clause (o), after the words and figures “framed under section 16”, the words, figures and letter “and also includes a scheme framed under section 17A” shall be inserted.

**3. Amendment of section 16.**—In section 16 of the principal Act, after sub-section (7), the following sub-section shall be inserted, namely:—

“(8) The power to frame a scheme under sub-section (1), and the power conferred by sub-section (6) to add to, amend or vary any scheme framed under this section, shall include the power to frame such scheme with retrospective effect from a date not earlier than the appointed day.”

**4. Insertion of new Chapter VA.**—In the principal Act, after Chapter V, the following Chapter shall be inserted, namely:

“CHAPTER VA

Terms and conditions of service of officers  
and other employees

**17A. Power of Central Government to regulate the terms and conditions of service of officers and other employees.**—(1) The Central Government

may, by notification in the Official Gazette, frame one or more schemes for regulating the pay scales and other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company.

(2) A scheme framed under sub-section (1) may add to, amend or vary any scheme framed under section 16 [including any addition, amendment or variation made therein by notification under sub-section (6) of section 16] with respect to rationalisation or revision of pay scales and other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company, to provide for further rationalisation or revision of such pay scales and other terms and conditions of service notwithstanding that such further rationalisation or revision is unrelated to, or unconnected with, the amalgamation of insurance companies or merger consequent on nationalisation of general insurance business.

(3) The Central Government may, by notification, add to, amend or vary any scheme framed under this section.

(4) The power to frame a scheme under sub-section (1), and the power conferred by sub-section (3) to add to, amend or vary any scheme framed under this section, shall include the power to frame such scheme, or, as the case may be, to make such addition, amendment or variation in any scheme framed under this section, with retrospective effect from a date not earlier than the appointed day.

(5) A copy of every scheme, and every amendment thereto, framed under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

(6) The provisions of this section and of any scheme framed under it shall have effect notwithstanding anything to the contrary contained in any other law or any agreement, award or other instrument for the time being in force.”

**5. Validation.**—(1) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority or in any other law, agreement, award or other instrument for the time being in force, every scheme framed or purporting to have been framed with retrospective effect under sub-section (1) of section 16 of the principal Act and every notification made or purporting to have been made with retrospective effect under sub-section (6) of that section before the commencement of the General Insurance Business (Nationalisation) Amendment Ordinance, 1984 shall be, and shall be deemed always to have been, for all purposes, as valid and effective as if the amendment made in the said section 16 by section 3 of this Ordinance had been part of that section and had been in force at all material times.

(2) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority or in any other law, agreement, award or other instrument for the time being in force,—

(a) every scheme framed, or purporting to have been framed, by the Central Government under

sub-section (1) of section 16 of the principal Act; and

(b) every notification made, or purporting to have been made, by the Central Government under sub-section (6) of the said section 16,

before the commencement of the General Insurance Business (Nationalisation) Amendment Ordinance, 1984, in so far as such scheme or notification provides (whether with or without retrospective effect) for any rationalisation or revision of pay scales or other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company, otherwise than in relation to, or in connection with, amalgamation of insurance companies or merger consequent on nationalisation of general insurance business shall be, and shall be deemed always to have been, for all purposes, as valid and effective as if section 17A, as inserted in the principal Act by section 4, of this Ordinance had been part of the principal Act, and had been in force at all

material times and such schemes or notification in so far as it provides as aforesaid had been framed or made, under the said section 17A:

Provided that nothing in this section shall apply to, or in relation to, the notification dated the 30th day of September, 1980, framing the General Insurance (Nationalisation and Revision of Pay Scales and Other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1980.

*Explanation.*—In this section, the expressions "acquiring company" and "Corporation" shall have the meanings respectively assigned to them in the principal Act.

ZAIL SINGH,  
President,

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.